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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,842	03/31/2004	Shaula Alexander Yemini	EMC-05-098(PRO)ORD	6059

24227   7590   07/27/2007

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EXAMINER
KIM, EUNHEE

ART UNIT	PAPER NUMBER
2123	

MAIL DATE	DELIVERY MODE
07/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/813,842	YEMINI ET AL.
Office Action Summary	Examiner	Art Unit	
	Eunhee Kim	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 April 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-45,62,64-130,147-188,205-234,236-280,297-301 and 303-319_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-45, 62, 64-130, 147-188, 205-234, 236-280, 297-301, and 303-319_ is/are rejected.

7)☒ Claim(s) _108, 109, 258, 299, and 316_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   The amendment filed 04/16/2007 has been received and considered. Claims 1-45, 62, 64-

130, 147-188, 205-234, 236-280, 297-301, and 303-319 are presented for examination.

Claim Objections

2.   Claims 108, 109, 258, 299, and 316 are objected to because of the following

informalities:

As per claims 108, and 109, the claims recite the limitation "is automated". Is it "is

performed automatically"?

As per 258, the word "manually" should be underlined.

As per claim 299, the word "manual" should be strikethrough for an indication of

deletion.

As per claim 316, the word "automated" should be strikethrough for an indication of

deletion.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 26, 64, 88, 111, and 169 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in claims 26(line 2), 64(line 2), 111(line 2), 169(line 2), and 261(line 2) are a relative term which renders the claim indefinite. The term "substantially" are not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1-13, 15-41, 44-45, 62, 64-80, 82-100, 102-126, 129-130, 147-158, 160-184, 187-188, 205-216, 218-232, 236-248, 250-276, 279-280, 297-300, 303-307, 309, 310, 312, 313, and 315-319 are rejected under 35 U.S.C. 102(b) as being anticipated by Bowman-Amuah (US Patent No. 6,289,382).

Bowman-Amuah discloses (Claims 1, 62, 88, 147, 205, and 236) a method, an apparatus

(Fig. 1), computer readable medium (Fig. 1), and storage device (Fig. 1 and 124) for modeling a

system having one or more components (Fig. 10), comprising:

(Claims 1, 147) (a) dividing said system into one or more components (Fig. 10-14, Col.

105 lines 7-50, Col. 115 lines 27-48, Col. 6 lines 16-63, Col. 124 lines 5-21, Col. 126 lines 2-66,

Col. 128 lines 6-29, Col. 153 lines 29-37, Col. 283 lines 13-39);

(Claims 1, 62, 147, 205, 236) (b) defining a plurality of realms, wherein each said realms

contains objects representing said one or more components (Claims 62, 205) or relationships

between components (Col. 115 lines 27-48, Col. 124 lines 5-21, Col. 126 lines 2-66, Col. 128

lines 6-29, Col. 153 lines 29-37, Col. 283 lines 13-39);

(Claims 1, 62, 147, 236) (c) defining associations between realms to unify objects in said

realms, wherein said associations represent at least one object common to at least two of said

realms (Col. 115 lines 27-48, Col. 117 lines 1-22, Col. 124 lines 5-21, Col. 126 lines 2-66, Col.

128 lines 6-29, Col. 153 lines 29-37, Col. 283 lines 13-39); and

(Claims 1, 147, 205, 236) (d) unifying objects in said realms based on said associations

(Col. 115 lines 27-48, Col. 6 lines 16-63, Col. 117 lines 1-22, Col. 124 lines 5-21, Col. 126 lines

2-66, Col. 128 lines 6-29, Col. 153 lines 29-37, Col. 283 lines 13-39);

(Claims 2, 89, 148, and 237) the step of unified processing of two or more realms by

performing processing in each of said two or more realms, and combining results thereof based

on said associations of said two or more realms (Fig. 1-195, Col. 33 lines 50-56, Col. 78 lines

63-67, Col. 126 lines 2-66, Col. 283 lines 47-67);

(Claims 3, 71, 90, 149, 206, 238) an enterprise management system (Col. 26 lines 64-67,

Col. 132 lines 1-10);

(Claim 317) at least one realm modeling application components (Fig. 1-195, Col. 31

lines 45-60);

(Claims 4, 72, 91, 150, 207, 239, 304, 313, 318) wherein said realms comprise at least

one realm modeling business service components and at least one realm modeling infrastructure

components (Fig. 1-195, Col. 31 lines 45-60);

(Claims 5, 92, 151, 208, 240, 297, 298, 303, 306, 307, 309, 310, 312, 313, 314, 319)

wherein the unified processing identifies infrastructure problems impacting applications,

applications impacting services, or infrastructure problems impacting services (Fig. 1-195, Col.

103 lines 19-27, Col. 78 lines 63-67, Col. 153 lines 30-37);

(Claims 6, 73, 93, 152, 209, 241) an engineering system (Col. 16 lines 51-61, Col. 125

lines 24-50);

(Claims 7, 74, 94, 153, 210, 242) a distributed system (Col. 49 lines 15-30, Col. 52 lines

16-33, Col. 94 lines 60-67);

(Claims 8, 75, 95, 154, 211, 243) an application server system (Col. 26 lines 20-23, Col.

33 lines 57-67, Col. 95 lines1-8);

(Claims 9, 76, 96, 155, 212, 244) a networked system (Col. 55lines 45-49, Col. 62 lines

15-40);

(Claims 10, 77, 97, 156, 213, 245) an optical network (Fig. 1-195);

(Claims 11, 78, 98, 157, 214, 246) a wireless network (Col. 58 lines 61-67, Col. 91 lines

5-25);

(Claims 12, 79, 99, 139, 215, 247) an IP network (Col. 60 lines 19-32, Col. 63 lines 32-36, Col. 64 lines 34-39, Col. 88 lines 59-67, Col. 90 lines 57-61);

(Claims 13, 80, 100, 158, 216, 248) a layered network (Col. 56 lines 6-10, Col. 71 lines15-59, Col. 79 lines 49-62, Col. 86 lines 36-60, Col. 89 lines 30-40, Col. 237 lines 50-58);

(Claims 15, 82, 102, 160, 218, 250) a messaging system (Col. 56-63, Col. 38 lines 57-62, Col. 55 lines 62-63, Col. 64 lines 40-67, Col. 212 lines 40-45, Col. 237 lines 50-58);

(Claims 16, 83, 103, 161, 219, 251) an ERP system (Col. 1 lines 20-26, Fig. 1-195);

(Claims 17, 84, 104, 162, 220, 252) a dynamic system (Col. 32 lines 29-37, Col. 230 lines 48-55, Col. 294 lines 36-59);

(Claims 18, 85, 105, 163, 221, 253) a static system (Col. 32 lines 29-37, Col. 283 lines 47-67);

(Claims 19, 86, 106, 164, 222, 254) wherein said system comprises a utility computing system, an autonomic computing system, a grid system, an on-demand system or an adaptive system (Fig. 1-195, Col. 71 lines 15-42, Col. 99 lines 19-27, Col. 108 lines 60-64);

(Claims 20, 87, 107, 165, 223, 255) wherein said system comprises a network, and wherein said plurality of realms comprises at least one realm modeling network infrastructure components and at least one realm modeling network security components (Col. 29 lines 46-58, Col. 34 lines 22-24, Col. 52 lines 17-60, Col. 56 lines 6-10, Col. 62 lines 15-40, Col. 67 lines 58-67, Col. 78 lines63-67, Col. 80 lines 20-33, Col. 86 lines 33-50, Col. 98 lines 53-58, Col. 115 lines 49-67);

(Claims 21, 256, 258) wherein the step of defining a plurality of realms and defining associations is performed manually (Fig. 1-195, Col. 101 lines 45-56, Col. 105 lines 3-18);

(Claims 22, 257, 259) wherein the step of defining a plurality of realms is performed

automatically based on given properties of said one or more components (Col. 53 lines 22-47,

Col.105 lines 3-49, Col. 116 lines 53-63, Col. 129 lines 11-57);

(Claim 23) wherein the step of defining associations is performed manually (Fig. 1-195,

Col. 101 lines 45-56, Col. 105 lines 3-18);

(Claim 24) wherein the step of defining associations is performed automatically based on

given properties of said objects (Col. 53 lines 22-47, Col.105 lines 3-49, Col. 116 lines 53-63,

Col. 129 lines 11-57);

(Claims 25, 110, 168, 260) wherein the step of defining associations comprises

identifying objects in different realms representing the same component (Fig. 1-195, Col. 101

lines 45-56);

(Claims 26, 64, 111, 169, 261) substantially identical objections (Fig. 1-195, Col. 101

lines 45-56, Col. 105 lines 3-49, Col. 125 lines 26-50);

(Claims 27, 65, 112, 170, 262) different objections (Fig. 1-195, Col. 105 lines 3-49, Col.

125 lines 26-50);

(Claims 28, 66, 113, 171, 263) wherein the objects in different realms have different

attributes (Fig. 1-195, Col. 105 lines 3-49);

(Claims 29, 67, 114, 172, 264) wherein the step of defining associations comprises

defining a relationship object between objects in different realms (Fig. 1-195, Col. 105 lines 3-

49, Col.. 128 lines 6-29, Col. 283 lines 8-67);

(Claims 30, 68, 115, 173, 265) wherein said plurality of realms are defined based on selecting subsets of components in said system (Fig. 1-195, Col. 105 lines 3-49, Col. 247 lines 29-65, Col. 261 lines 7-20);

(Claims 31, 69, 116, 174, 266) wherein said plurality of realms are defined based on different perspectives of the same component in said system (Fig. 1-195, Col. 105 lines 3-49, Col. 247 lines 29-65);

(Claims 32, 70, 117, 175, 267) wherein said plurality of realms are defined based on different levels of abstraction of the same component in said system (Fig. 1-195, Col. 105 lines 3-49, Col. 247 lines 29-65);

(Claims 33, 118, 176, 224, 268) monitoring said system (Col. 92 lines 5-62, Col. 115 lines 49-60);

(Claims 34, 119, 177, 225, 269) analyzing said system (Col. 127 lines 1-11, Col. 144 lines 56-63);

(Claims 35, 120, 178, 226, 270) control of said system (Col. 115 lines 49-60, Col. 130 lines 5-17);

(Claims 36, 121, 179, 227, 271) simulation of said system (Col. 139 lines 21-30, Col. 151 lines 22-35);

(Claims 37, 122, 180, 228, 272) visualization of said system (Col. 33 lines 15-22, Col. 188 lines 8-10, Col. 212 lines 41-45, Col. 251 lines 60-67, Col. 252 lines 7-18);

(Claims 38, 123, 181, 229, 273) configuration of said system (Col. 122 lines 16-25, Col. 124 lines 5-20, Col. 145 lines 16-23, Col. 252 lines 7-18);

(Claims 39, 124, 182, 230, 274) provisioning of said system (Col. 139 lines 21-30, Col. 251 lines 60-67, Col. 252 lines 7-18);

(Claims 40, 125, 183, 231, 275) design of said system (Col. 144lines 56-63);

(Claims 41, 126, 184, 232, 276) propagation of behaviors of said system of said system across realms (Fig. 1-195, Col. 246 lines 29-37);

(Claims 44, 129, 187, 279) wherein the step of dividing said system comprise the step of defining said plurality of realms based on one or more models of said system or portions thereof (Fig. 1-195, Col. 105 lines 1-49);

(Claims 45, 130, 188, 280) wherein said realms are defined by adding associations to one or more pre-existing models of the system (Fig. 1-195, Col. 105 lines 1-49);.

(Claims 108, 166) wherein the step of dividing is automated based on given properties of said one or more components (Col. 53 lines 22-47, Col.105 lines 3-49, Col. 116 lines 53-63, Col. 129 lines 11-57);

(Claims 109, 167) wherein the step of defining association is automated based on given properties of said one or more components (Col. 53 lines 22-47, Col.105 lines 3-49, Col. 116 lines 53-63, Col. 129 lines 11-57);

(Claims 299, 315) wherein the step of unifying is performed manually (Fig. 1-195, Col. 101 lines 45-56, Col. 105 lines 3-18);

(Claims 300, 316) wherein the step of unifying is performed automatically (Fig. 1-195, Col. 101 lines 45-56, Col. 105 lines 3-18).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

9.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10.   Claims 14, 81, 101, 159, 217, and 249 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bowman-Amuah (US Patent No. 6,289,382), and further in view of Semeria

(Multiprotocol Label Switching: Enhancing Routing in the New Public Network).

Bowman-Amuah teach most all of the instant invention as applied to claims 1-13, 15-41, 44-45, 62, 64-80, 82-100, 102-126, 129-130, 147-158, 160-184, 187-188, 205-216, 218-232, 236-248, 250-276, 279-280, 297-300, 303-307, 309, 310, 312, 313, and 315-319 above.

Bowman-Amuah fails to teach Multi-Protocol Label Switching Virtual Private Network.

Semeria teaches Multi-Protocol Label Switching Virtual Private Network (Page 15, Figure 9 and 11).

Bowman-Amuah and Semeria are analogous art because they are both related to network system.

Therefore, it would have been obvious to one of ordinary skill in the art of at the time the invention was made to include Multi-Protocol Label Switching Virtual Private Network of Semeria, in the method of manufacture for a globally addressable interface in communication services framework of Bowman-Amuah because Multi-Protocol Label Switching Virtual Private Network is a well known process in a method for manufacture for a globally addressable interface in communication services framework.

Semeria teaches advantages of improved Multi-Protocol Label Switching Virtual Private Network that permits ISPs to deliver new services that cannot be readily supported by conventional IP routing techniques and enhance routing capabilities by supporting more than just destination-based forwarding (Summary).

11.   Claims 42, 43, 127, 128, 185, 186, 233, 234, 277, 278, 301, 308, 311, are 314 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah (US Patent No. 6,289,382),

and further in view of McGee et al. (US Pub. No 2003/0079160).

Bowman-Amuah teach most all of the instant invention as applied to claims 1-13, 15-41,

44-45, 62, 64-80, 82-100, 102-126, 129-130, 147-158, 160-184, 187-188, 205-216, 218-232,

236-248, 250-276, 279-280, 297-300, 303-307, 309, 310, 312, 313, and 315-319 above.

Bowman-Amuah fails to teach (Claims 42, 127, 185, 233, 277) root cause analysis of

events in said system of events in said system and (Claims 43, 128, 186, 234, 278, 301, 308, 311,

314) correlation of events of said system.

McGee et al. teaches (Claims 42, 127, 185, 233, 277) root cause analysis of events in said

system of events in said system (Paragraph [0054] and [0058]); and

(Claims 43, 128, 186, 234, 278, 301, 308, 311, 314) correlation of events of said system

(Paragraph [0054] and [0058]).

Bowman-Amuah and McGee et al. are analogous art because they are both related to an

enterprise networked system.

Therefore, it would have been obvious to one of ordinary skill in the art of at the time the

invention was made to include root cause analysis of events and correlation of events of McGee

et al., in the method of manufacture for a globally addressable interface in communication

services framework of Bowman-Amuah because root cause analysis of events and correlation of

events is a well known process in a method for manufacture for a globally addressable interface

in communication services framework.

McGee et al. teaches advantages system that allows for users by a system manager, such as a web-based enterprise system manager, to assist, to achieve maintenance of Service Level Agreements in terms of system performance (Paragraph [0026] and [0051]).

Response to Arguments

12.   Applicant's arguments filed 04/16/2007 have been fully considered but they are not persuasive.

Applicants have argued that Bowman-Amuah fails to represent at least one object common to at least two realms.

The examiner disagrees as Bowman-Amuah teaches a Customer which is an object common to Business components and a Customer Business Component that are corresponding to two realms.

Conclusion

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
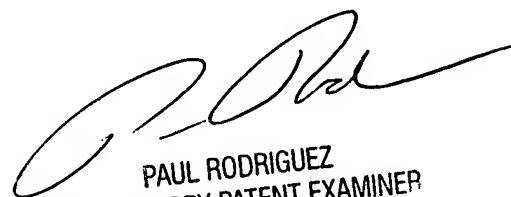
however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eunhee Kim whose telephone number is 571-272-2164. The

examiner can normally be reached on 8:30am-5:00pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul

Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EK

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